

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED

2006 OCT -6 A 9:25

HORACE MILTON BLACK	*
Petitioner	*
v.	* CASE NO. 2:05 cv 1178-WKW
UNITED STATES OF AMERICA	*
Respondent	*

WITNESSES AND EXHIBITS

COMES NOW the above named Horace Milton Black, and through counsel, submits his witnesses and exhibits for the October 11th, 2006 hearing as follows;

1. The Court had ordered this list to be exchanged on or before October 2, 2006. Mr. Black was brought into Montgomery on October 3, 2006 and contacted this counsel on that date. It was on today's date that counsel was able to meet with Mr. Black and finalize his witness and exhibits list. Counsel prays that the Court and counsel for the government will excuse the delayed filing.

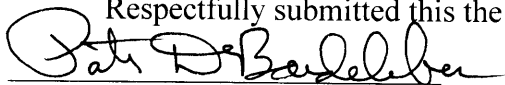
2. The witness shall be;

- a. Ms. Verti Garrett
- b. Mr. Horace Black

3. The exhibits shall be;

- a. Presentence investigation Report
- b. Plea Agreement
- c. Indictment
- d. Criminal Judgement
- e. Sentence Hearing Transcript

Respectfully submitted this the 4th day of October, 2006.

A handwritten signature in cursive script, appearing to read "Pate DeBardeleben", written in black ink.

Pate DeBardeleben, Attorney for Horace Milton Black

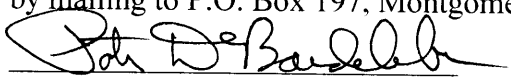
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2835 Zelda Road, Montgomery, AL 36106

334-213-0609

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing on the Honorable Clark Morris by mailing to P.O. Box 197, Montgomery, AL 36101-0197 this the 4th day of October, 2006.

A handwritten signature in cursive script, appearing to read "Pate DeBardeleben", written in black ink.

Pate DeBardeleben